

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
SPARTANBURG DIVISION

<b>Barbara Satterfield and Rick Satterfield</b>	)	
	)	
<b>Plaintiffs,</b>	)	Civil Action No. 7:11-1514-MGL
	)	
<b>vs.</b>	)	
	)	
<b>Napa Home &amp; Garden, Inc., Fuel Barons,</b>	)	
<b>Inc., Losorea Packaging Inc., and The</b>	)	
<b>Fresh Market, Inc.</b>	)	
	)	
<b>Defendants.</b>	)	

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**NOTICE OF PLATINFFS' EXPERT DISCLOSURES**

Plaintiffs, by their undersigned Counsel of Record and pursuant to the Court's Seventh Amended Scheduling Order, hereby file Notice that they have this day served, via electronic mail, their expert witness disclosures along with complete copies of the experts' reports and accompanying materials to all Counsel of Record.

Respectfully submitted this 30th day of December, 2013,

**MOTLEY RICE LLC**

By: /s/ T. David Hoyle  
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ATTORNEYS FOR PLAINTIFFS



and serve supplemental expert reports as permitted by Federal Rule of Civil Procedure 26(a)(2) and Federal Rule of Civil Procedure 26(c). Plaintiffs further reserve the right to elicit expert testimony, where necessary, from any expert(s) called by the Defendant The Fresh Market, Inc. in this action, any expert(s) called by the Third-Party Defendants in this action, or any rebuttal experts.

**Defendant The Fresh Market, Inc. is hereby placed on notice that Plaintiffs may call the following individuals at the trial of this action and elicit testimony pursuant to Rules 702, 703, and 705 of the Federal Rules of Evidence.**

1. **GLEN STEVICK, Ph.D., P.E.  
Berkeley Engineering and Research, Inc.  
808 Gilman Street  
Berkeley, CA 94710  
(510) 549-3300x2**

The substance of Dr. Stevick's opinions, the basis and reasons thereof, the data and other information considered in forming the opinions, exhibits to be used as a summary of or support for the opinions, and citations of any treatise, text or other authority relied upon are set forth in a report served on all parties contemporaneous with this notice as Exhibit 1. Dr. Stevick's current Curriculum Vitae is being served on all parties contemporaneous with this notice as Exhibit 1A. Dr. Stevick's list of testimony is being served on all parties contemporaneous with this notice as Exhibit 1B. Dr. Stevick's fees for professional services are being served on all parties contemporaneous with this notice as Exhibit 1C.

2. **STUART M. STATLER  
494 Bay Harbour Road  
 Mooresville, NC 28117  
(704) 360-2100**

The substance of Mr. Statler's opinions, the basis and reasons thereof, the data and other information considered in forming the opinions, exhibits to be used as a summary of or support for the opinions, and citations of any treatise, text or other authority relied upon are set forth in a report served on all parties contemporaneous with this notice as Exhibit 2. Mr. Statler's current Curriculum Vitae is being served on all parties contemporaneous with this notice as Exhibit 2A. Mr. Statler's list of testimony is being served on all parties contemporaneous with this notice as Exhibit 2B. Mr. Statler's fees for professional services are being served on all parties contemporaneous with this notice as Exhibit 2C.

3. **BRYAN R. DURIG, Ph.D., P.E.**  
**Summit Engineering L.L.P.**  
**146 Leisure Lane**  
**Columbia, SC 29210**  
**(803) 731-1200**

The substance of Dr. Durig's opinions, the basis and reasons thereof, the data and other information considered in forming the opinions, exhibits to be used as a summary of or support for the opinions, and citations of any treatise, text or other authority relied upon are set forth in a report served on all parties contemporaneous with this notice as Exhibit 3. Dr. Durig's current Curriculum Vitae is being served on all parties contemporaneous with this notice as Exhibit 3A. Dr. Durig's list of testimony is being served on all parties contemporaneous with this notice as Exhibit 3B. Dr. Durig's fees for professional services are contained within his report.

4. **DONALD J. HOFFMANN, Ph.D., P.E., CFI – IAAI**  
**Safety Engineering Laboratories, Inc.**  
**27803 College Park Dr.**  
**Warren, MI 48088**  
**(586) 771-0660**

The substance of Dr. Hoffman's opinions, the basis and reasons thereof, the data and other information considered in forming the opinions, exhibits to be used as a summary of or support for the opinions, and citations of any treatise, text or other authority relied upon are set forth in a report served on all parties contemporaneous with this notice as Exhibit 4. Dr. Hoffman's current Curriculum Vitae, list of testimony, and fees for professional services are contained therein.

5. **SHELENE J. GILES, MS, BSN, BA, RN, CRC, CNLCP, CLCP, MSCC, LNCC**  
**FIG Services, Inc.**  
**P.O. Box 1161**  
**Hendersonville, NC 28793**  
**(828) 698-9486**

The substance of Ms. Giles' opinions, the basis and reasons thereof, the data and other information considered in forming the opinions, exhibits to be used as a summary of or support for the opinions, and citations of any treatise, text or other authority relied upon are set forth in a report served on all parties contemporaneous with this notice as Exhibit 5. Ms. Giles' current Curriculum Vitae is being served on all parties contemporaneous with this notice as Exhibit 5A. Ms. Giles' list of testimony is being served on all parties contemporaneous with this notice as Exhibit 5B. Ms. Giles' fees for professional services are being served on all parties contemporaneous with this notice as Exhibit 5C.

6. **B. PERRY WOODSIDE, III, Ph.D.**  
**Dixon Hughes Goodman, LLP**  
**Post Office Box 973**

**Charleston, SC 29402  
(843) 722-6443**

The substance of Dr. Woodside's opinions, the basis and reasons thereof, the data and other information considered in forming the opinions, exhibits to be used as a summary of or support for the opinions, and citations of any treatise, text or other authority relied upon are set forth in a report served on all parties contemporaneous with this notice as Exhibit 6. Dr. Woodside's current Curriculum Vitae, list of testimony, and fees for professional services are contained therein.

7. **ALAN R. DIMICK, M. D., FACS  
American Burn Consultants, Inc.  
2717 Lockerbie Circle  
Birmingham, AL 35223-2911  
(205) 969-3106**

The substance of Dr. Dimick's opinions, the basis and reasons thereof, the data and other information considered in forming the opinions, exhibits to be used as a summary of or support for the opinions, and citations of any treatise, text or other authority relied upon are set forth in a report served on all parties contemporaneous with this notice as Exhibit 7. Dr. Dimick's current Curriculum Vitae is being served on all parties contemporaneous with this notice as Exhibit 7A. Dr. Dimick's list of testimony is being served on all parties contemporaneous with this notice as Exhibit 7B. Dr. Dimick's fees for professional services are being served on all parties contemporaneous with this notice as Exhibit 7C.

8. **FRED MULLINS, M.D., FACS  
Joseph M. Still Burn Center  
3675 J. Dewey Gray Circle, Suite 300  
Augusta, GA 30909  
(706) 863-9595**

Pursuant to Fed. R. Civ. P. 26(a)(2)(C), a report from Dr. Mullins is not required.

Since July 2004, Dr. Mullins has been the Medical Director of the Joseph M. Still Burn Center, a burn center verified by the American Burn Association (ABA) and the American College of Surgeons (ACS). Located in Augusta, Georgia, the Still Burn Center is the largest burn unit in the country. A team of physicians and other specialists provide for the overall needs of the patient, not just the burn wounds. The 70-bed unit is usually full, with helicopters flying patients in from throughout the Southeastern United States. The Still Burn Center admits more than 3,000 patients annually and is nationally recognized as a leader in burn research and treatment.

A burn surgeon by training, Dr. Mullins earned his M.D. from the Medical College of Georgia School of Medicine and his Bachelor of Science from the Medical College of Georgia.

Dr. Mullins was and is a treating physician for Barbara Satterfield.

Dr. Mullins is expected to present general testimony concerning the following subject matter(s):

- a. Acute burn care management;
- b. Characteristics of burn injury;
- c. Epidemiological, demographic, and outcome characteristics of burn injury;
- d. The prevention of burn injuries;
- e. Diagnosis and Treatment of Burn Injury;
- f. Pathophysiology of Burn Shock and Burn Edema;
- g. Critical Care in the Severely Burned;
- h. Surgical Management of Complications of Burn Injury;
- i. Pathophysiology of the Burn Scar;
- j. Comprehensive Rehabilitation of the Burn Patient;
- k. Reconstruction of Burn Deformities;
- l. Management of Pain and Other Discomforts in Burned Patients; and
- m. Psychosocial Recovery of Patients with Burn Injuries.

The facts relied upon by Dr. Mullins' in forming his opinions concerning Mrs. Satterfield are set forth in the medical records from the Joseph M. Still Burn Center. Some of Dr. Mullins' opinions concerning Mrs. Satterfield are also set forth in the medical records from the Joseph M. Still Burn Center as well as through medical-legal consultation(s) with Ms. Shelene J. Giles which are contained in her report served herewith.

Dr. Mullins is expected to specifically testify concerning his treatment of Mrs. Satterfield as well as his review of Mrs. Satterfield's medical records and the conclusions reached therefrom; the burn injuries sustained by Mrs. Satterfield; his recommended future treatment for Mrs. Satterfield; and the subject matters enumerated in a-m above.

Dr. Mullins is further expected to testify that Mrs. Satterfield's future care needs are set forth to a reasonable degree of medical certainty on the Nurse Life Care Plan tables dated 12/21/13 and contained in the report of Ms. Shelene J. Giles.

Dr. Mullins will rely on his education, experience, training, and background to offer this testimony. Dr. Mullins' current Curriculum Vitae is being served on all parties contemporaneous with this notice as Exhibit 8. Dr. Mullins will rely on the following treatise and journals in support of his opinions: David N. Herndon M.D. FACS, TOTAL BURN CARE; *Journal of Burn Care and Rehabilitation*; and *Journal of the International Society for Burn Injuries*.

9. **Plaintiffs reserve the right to elicit expert testimony concerning the subject product from any and all current or former employees of the Consumer Product Safety Commission, including but not limited to J. DeWane Ray, Rohit Khanna, Andrew Kameros, Marc Schoem, Blake Rose, Joseph Williams, Kathleen Stralka, Stephen Hanway, David Miller, Mary Ann Danello, Lori E. Saltzman, Sandra E. Inkster, Andrew Stadnik, Edward Krawiec, Jonathan Kent, Andrew G. Stadnik, Joel Recht, Matthew Roemer, George A. Borlase, Patricia K. Adair, Scott Ayers, George A.**

**Borlase, Robert B. Ochsman, Rana Balci-Sinha, Gregory R. Rodgers, Deborah V. Aiken, and Charles L. Smith, located at 4330 East West Highway Bethesda, MD 20814 (telephone: (301) 504-7923) and the National Institute of Standards and Technology, including but not limited to Nathan D. Marsh, located at 100 Bureau Drive, Stop 8665 Gaithersburg, MD 20899-8665 (telephone (301) 975-5441) .**

Pursuant to Fed. R. Civ. P. 26(a)(2)(C), a report from these individuals is not required but Defendant The Fresh Market, Inc. is directed to public reports entitled Consumer Product Safety Commission, Staff Briefing Package on Firepots and Gel Fuel, p. 29 (December 7, 2011), served on all parties contemporaneous with this notice as Exhibit 9, and Nathan D. Marsh, Evaluation of Firepots and Gel Fuels, p. 2 (NIST Technical Note 1791) (March 2013), served on all parties contemporaneous with this notice as Exhibit 10, which contain the opinions and basis thereof from the foregoing individuals. If any testimony is so elicited at the trial of this action, it is expected that these individuals will rely on their education, experience, training, and background. The Plaintiffs are not in possession of any Curriculum Vitae for the foregoing individuals but reserve the right to supplement this disclosure upon receipt of the same. **Plaintiffs expressly reserve their rights to introduce these public reports, pursuant to Fed. R. Evid. 803 and 902 as well as all other applicable statutes and rules, at the trial of this action regardless of whether any of the above-named individuals offer testimony.**

**10. Plaintiffs reserve the right to amend, modify or supplement this Expert Disclosure.**

Respectfully submitted this 30th day of December, 2013,

**MOTLEY RICE LLC**

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### **CERTIFICATE OF SERVICE**

The above-signed attorney hereby certifies that on December 30, 2013, I electronically filed the foregoing Notice Of Plaintiffs' Expert Disclosures using the CM/ECF system which will send notification of such filing to all parties.

Copies of the disclosures, reports, and accompanying materials were also sent this day to all Counsel of Record via electronic mail as set forth below.

<p><b><u>Counsel for The Fresh Market, Inc.</u></b>  <b>Susan Clare, Esq.</b>  <b>W. Ray Persons, Esq.</b>  <b>Victoria Christine Smith, Esq.</b>  KING &amp; SPALDING  1180 Peachtree Street, NE  Atlanta, GA 30309  <a href="mailto:sclare@kslaw.com">sclare@kslaw.com</a>  <a href="mailto:rpayers@kslaw.com">rpayers@kslaw.com</a>  <a href="mailto:vsmith@kslaw.com">vsmith@kslaw.com</a>  <b>Beattie B. Ashmore, Esq.</b>  Beattie B. Ashmore, P.A.  650 E. Washington Street  Greenville, SC 29601  <a href="mailto:beattie@beattieashmore.com">beattie@beattieashmore.com</a></p>	<p><b><u>Counsel for Essential Ingredients, Inc.</u></b>  <b>Brannon J. Arnold, Esq.</b>  <b>Thomas D. Allen, Esq.</b>  <b>Joshua S. Wood, Esq.</b>  Weinberg, Wheeler, Hudgins, Gunn &amp; Dial,  LLC  3344 Peachtree Road, Suite 2400  Atlanta, GA 30326  <a href="mailto:barnold@wwhgd.com">barnold@wwhgd.com</a>  <a href="mailto:tallen@wwhgd.com">tallen@wwhgd.com</a>  <a href="mailto:jwood@wwhgd.com">jwood@wwhgd.com</a></p>
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